REMARKS

Claims 4, 10 and 16 had been cancelled. Thus, Claims 1-3, 5-9, 11-15 and 17-18 are currently pending in the present application, of which Claims 1 and 7-13 have been amended.

Enclosed is a replacement Figure **2** having a single line connection between blocks **24** and **25**, and a multi-line connection between blocks **25** and **22**, for the Examiner's approval.

Applicants had counted the number of words on the ABSTRACT page, and the number is less 150 words. In addition, the informalities on pages 8 and 9 of the specification had been corrected. Thus, the objections are believed to be overcome.

Rejection under 35 U.S.C. § 101

Claims 7-12 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to a non-statutory subject matter. Applicants respectfully traverse such rejection insofar as it might apply to the claims as amended herein.

Amended Claims 7-12 now recites a "computer usable medium having a computer program product for..." Since a computer usable medium is considered as patentable subject matter, the § 101 rejection is believed to be overcome.

Rejection under 35 U.S.C. § 102

Claims 1-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by 9600 bits per second modem standardized for use on point-to-point 4-wire leased telephone-type circuits, ITU-T Recommendation V.29. Applicants respectfully traverse such rejection insofar as it might applied to the claims as amended herein.

Amended Claim 1 (and similarly Claims 7 and 13) now recites "performing segment 3 training by sending a plurality of CD symbols for a third set of symbol intervals to generate a plurality of coefficients for an adaptive equalizer within said receiving modem, wherein said third set of symbol intervals includes no more than 64 symbol intervals."

On page 4 of the Office Action, the Examiner asserts that the claimed segment 3 training is disclosed under section and table 5/V.29 on pages 7-8 of the cited reference. However, according to Table 5/V.29 on page 7 and section 8.2 on page 8 of the cited reference, the number of segment 3 symbol intervals required for modem training is 384. In contrast, the number of symbol intervals required for the claimed segment 3 training "includes no more than 64 symbol intervals," which is different from and substantially less than 384.

Claims 1-12 were also rejected under 35 U.S.C. § 102(b) as being anticipated by *Yaguchi et al.* (US 5,337,332). Applicants respectfully traverse such rejection insofar as it might applied to the claims as amended herein.

On page 6 of the Office Action, the Examiner asserts that the claimed segment 3 training is disclosed by *Yaguchi* in col. 1, line 39 - col. 2, line 11 and table 2. Table 2 of *Yaguchi* also requires the number of symbol intervals for segment 3 training to be 384, and again, the number of symbol intervals required for the claimed segment 3 training is no more than 64.

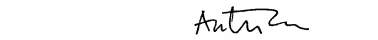
Because the claimed invention recites novel features that are not taught or suggested by either ITU-T Recommendation V.29 or *Yaguchi*, the § 102 rejection is believed to be overcome.

CONCLUSION

Claims 1-3, 5-9, 11-15 and 17-18 are currently pending in the present application. For the reasons stated above, Applicants believe independent Claims 1, 7 and 13 along with their respective dependent claims are distinguished over the cited references under § 102, and should be in condition for allowance. The remaining prior art cited by the Examiner, but not relied upon, has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any fee or extension of time is required for the prosecution of the present application, please charge it against Dillon & Yudell Deposit Account No. **50-3083**.

Respectfully submitted,



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